

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT WASHINGTON,

Plaintiff,

v.

STEVEN M. YAPLEE,

Defendant.

Case No. 1:20-cv-01356-EPG (PC)

ORDER REQUIRING DEFENDANT TO
RESPOND TO PLAINTIFF’S OPPOSITION
TO DEFENDANT’S NOTICE OF TAKING
DEPOSITION WITHIN FOURTEEN DAYS

(ECF No. 62)

Robert Washington (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

On December 13, 2022, Plaintiff filed an opposition to Defendant’s notice of taking deposition. (ECF No. 62). Plaintiff alleges that on approximately November 28, 2022, Plaintiff received a notice of deposition. Plaintiff argues that the deadline to take his deposition has passed, and that Defendant has not asked for leave of Court to take Plaintiff’s deposition. Plaintiff asks the Court to “deny defendant’s order/notice for deposition or to show good cause for this deposition and their failure to depose Plaintiff during the discovery schedule.” (*Id.* at 1).

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1 Given Plaintiff's allegations, and the potential pending deposition,¹ the Court will require
2 Defendant to file a response to Plaintiff's opposition within fourteen days.

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4 IT IS SO ORDERED.

5 Dated: **December 14, 2022**

/s/ Eric P. Grogan
6 UNITED STATES MAGISTRATE JUDGE

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¹ Plaintiff does not provide the date of the alleged deposition.